

HOUSE BILL 1570

P5

0lr3648

By: **Delegate Mizeur**

Rules suspended

Introduced and read first time: April 1, 2010

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **The Open Government Modernization Fund Act**

3 FOR the purpose of establishing the Maryland Government Modernization Fund;
4 specifying the purpose of the fund; requiring the President of the Senate and
5 the Speaker of the House of Delegates to administer the fund; specifying that
6 the fund is a special, nonlapsing fund; specifying that the balance remaining in
7 the fund at the end of a fiscal year reverts to the General Fund of the State;
8 requiring the State Treasurer to hold separately, and the Comptroller to
9 account for, the fund; specifying the contents of the fund; specifying that the
10 fund may be used only for a certain purpose; requiring the State Treasurer to
11 invest the money in the fund in a certain manner; requiring that investment
12 earnings of the fund be credited to the General Fund of the State; requiring
13 expenditures from the fund to be made in a certain manner; requiring that the
14 balance remaining in the Lobbyist Registration Fund at the end of a fiscal year
15 be distributed to a certain fund established under a certain provision of law;
16 altering the lobbyist registration fee; and generally relating to the Maryland
17 Government Modernization Fund.

18 BY adding to

19 Article – State Government
20 Section 2–109
21 Annotated Code of Maryland
22 (2009 Replacement Volume)

23 BY repealing and reenacting, with amendments,

24 Article – State Government
25 Section 15–210 and 15–703(e)
26 Annotated Code of Maryland
27 (2009 Replacement Volume)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That the Laws of Maryland read as follows:

3 Article – State Government

4 **2–109.**

5 (A) IN THIS SECTION, “FUND” MEANS THE MARYLAND GOVERNMENT
6 MODERNIZATION FUND.

7 (B) THERE IS A MARYLAND GOVERNMENT MODERNIZATION FUND.

8 (C) THE PURPOSE OF THE FUND IS TO INCREASE THE ABILITY OF THE
9 PUBLIC TO OBSERVE AND PARTICIPATE IN THE LEGISLATIVE PROCESS.

10 (D) THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE
11 OF DELEGATES SHALL ADMINISTER THE FUND.

12 (E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND.

13 (2) ANY BALANCE REMAINING IN THE FUND AT THE END OF ANY
14 FISCAL YEAR SHALL REVERT TO THE GENERAL FUND OF THE STATE.

15 (3) THE STATE TREASURER SHALL HOLD THE FUND
16 SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

17 (F) THE FUND CONSISTS OF:

18 (1) REVENUE DISTRIBUTED TO THE FUND UNDER § 15–210 OF
19 THIS ARTICLE;

20 (2) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;
21 AND

22 (3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR
23 THE BENEFIT OF THE FUND.

24 (G) THE FUND MAY BE USED ONLY TO INCREASE THE ABILITY OF THE
25 PUBLIC TO OBSERVE AND PARTICIPATE IN THE LEGISLATIVE PROCESS.

26 (H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE
27 FUND IN THE SAME MANNER AS OTHER STATE FUNDS MAY BE INVESTED.

1 (2) ANY INVESTMENT EARNINGS OF THE FUND SHALL BE
2 CREDITED TO THE GENERAL FUND OF THE STATE.

3 (1) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN
4 ACCORDANCE WITH THE STATE BUDGET.

5 15-210.

6 (a) (1) There is a Lobbyist Registration Fund.

7 (2) The Fund includes all fees collected under Subtitle 7 of this title.

8 (b) (1) The Fund is a continuing, nonlapsing fund.

9 (2) Any balance remaining in the Fund at the end of any fiscal year
10 shall [revert to the General Fund of the State] **BE DISTRIBUTED TO THE**
11 **MARYLAND GOVERNMENT MODERNIZATION FUND ESTABLISHED UNDER**
12 **§ 2-109 OF THIS ARTICLE.**

13 (c) (1) The Treasurer shall separately hold, and the Comptroller shall
14 account for, the Fund.

15 (2) The Fund shall be invested and reinvested in the same manner as
16 other State funds.

17 (3) Expenditures from the Fund shall be made in accordance with an
18 appropriation approved by the General Assembly in the annual budget.

19 (d) The Fund shall be used to defray the expenses of administering Subtitle 7
20 of this title.

21 15-703.

22 (e) (1) Each registration form shall be accompanied by a fee of **[\$100]**
23 **\$250.**

24 (2) The fee shall be credited to the Lobbyist Registration Fund
25 established under § 15-210 of this title.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2010.